

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stephen W. Carlson,

Civil No. 02-4084 (DWF/SRN)

Plaintiff,

v.

ORDER

American Express Financial Advisors,
Inc., being sued as American Express
Financial Advisors; American Express,
parent company; and Kelly Services,

Defendants.

Stephen W. Carlson, *Pro Se*, Plaintiff.

Julie A. Fleming-Wolfe, Esq., Fleming-Wolfe Law Office, counsel for Defendants American Express Financial Advisors, Inc., and American Express.

Dean A. LeDoux, Esq., Gray Plant Mooty Mooty & bennett, counsel for Kelly Services.

This matter is before the Court upon Plaintiff's objections to Magistrate Judge Susan Richard Nelson's Report and Recommendation dated March 29, 2005, recommending that: (1) Defendant American Express's motion for summary judgment be granted; (2) Defendant Kelly Services' motion for summary judgment be granted; (3) Plaintiff's motion for summary judgment be denied; (4) Plaintiff's motion for default judgment be denied; (5) Plaintiff's motion to certify class action be denied; and (6) all of Plaintiff's claims be dismissed with prejudice.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c).

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Stephen W. Carlson's objections (Doc. No.243) to Magistrate Judge Susan Richard Nelson's Report and Recommendation dated March 29, 2005, are **DENIED**.
2. Magistrate Judge Susan Richard Nelson's Report and Recommendation dated March 29, 2005 (Doc. No. 242), is **ADOPTED**.
3. Defendant American Express's motion for summary judgment (Doc. No. 161) is **GRANTED**.
4. Defendant Kelly Services' motion for summary judgment (Doc. No. 170) is **GRANTED**.
5. Plaintiff's motion for summary judgment (Doc. No. 177) is **DENIED**.
6. Plaintiff's motion for default judgment (Doc. No. 179) is **DENIED**.
7. Plaintiff's motion to certify class action (Doc. No. 181) is **DENIED**.
8. All of Plaintiff's claims are **DISMISSED WITH PREJUDICE**.

Dated: May 25, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court